IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1274 OF 2007
IN
INCOME TAX APPEAL LODGING NO.2212 OF 2006

The Commissioner of Income Tax ..Appellant.
Vs.
M/s. Kopran Ltd. ..Respondents.

Mr. B.M.Chatterji with Mis. P.P.BBhosale for the Appellant.

None for the Respondents.

CORAM : F.I. REBELLO & R.S.MOHITE, JJ.
DATED : 18TH DECEMBER,2007.

PC :

1. This is a notice of motion for condoning delay of 628 days in filing the main tax appeal. On perusal of the affidavit in support of the notice of motion, we find that the file was sent to the panel counsel for drafting the appeal memo on 8.10.2004 and thereafter, the appeal was not drafted till 26.10.2006. In our view, the period between 8.10.2004 and 26.10.2006 has not been properly explained. In the circumstances, sufficient cause is not shown to condone the delay.

Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**

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1. As the notice of motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**